

FILED

JAN 12 2006

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

NEBRASKA DEPARTMENT  
OF INSURANCE

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	
	)	CONSENT ORDER
PETITIONER,	)	
	)	
VS.	)	CAUSE NO. A-1648
	)	
JEFFREY R. MORGAN,	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair, and Jeffrey R. Morgan ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44-101.01, and 44-4047 et seq. (Reissue 2004).
2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Jeffrey R. Morgan, Cause Number A-1648 on November 23, 2005. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.
2. Respondent allegedly violated Neb. Rev. Stat. §§ 44-4059(h) (Reissue 2004) as a result of the following conduct:

- a. On or about October 21, 2001, Respondent, acting as an insurance producer, completed an annuity application for "A." On the application, Respondent listed himself as "best friend," and made himself the "irrevocable" primary beneficiary of the annuity. Respondent listed Respondent's son as "best friends son," and made Respondent's son the "irrevocable" contingent beneficiary of the annuity. Respondent signed the application as "Agent." Respondent submitted the application to American Equity Investment Life Insurance Company, and received a commission for the sale of this annuity as an insurance producer.
- b. On or about January 4, 2005, Respondent completed an annuity application for "A." Respondent listed himself as "annuitant" and "irrevocable" primary beneficiary of the annuity. Respondent listed Respondent's son as "irrevocable" contingent beneficiary. James C. McGill signed the application as "Agent," and the application was submitted to Lincoln Benefit Life. On or about January 15, 2005, Lincoln Benefit Life received a letter from "A's" Attorney-in-Fact requesting termination of the contract, and the contract was rescinded.

3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent neither admits nor denies the allegations stated in Paragraph 2.

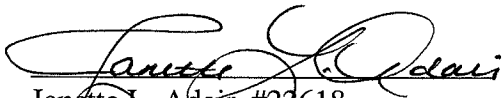
#### CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§ 44-4059(h) (Reissue 2004).

#### CONSENT ORDER


It is therefore ordered by the Director of Insurance and agreed by Respondent, Jeffrey R. Morgan, that Respondent shall be required to pay no administrative fine in light of the fact that Respondent has voluntarily reimbursed the "A" Irrevocable Trust for all

monetary damages incurred as a result of the above violations. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.




Janette L. Adair, #22618  
Attorney for Petitioner  
941 "O" Street, Suite 400  
Lincoln, NE 68508  
(402) 471-2201

1-12-06  
Date

  
Jeffrey R. Morgan,  
Respondent

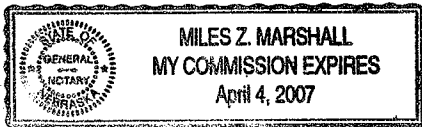
1/7/06  
Date

  
Attorney for Respondent

1/10/06  
Date

State of Nebraska )  
 ) ss.  
County of Buffalo )

On this 7<sup>th</sup> day of January, 2006, Jeffrey R. Morgan personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



Miles Z. Marshall  
Notary Public

#### CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Jeffrey R. Morgan, Cause No. A-1648.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

L. Tim Wagner

L. TIM WAGNER  
Director of Insurance

1/12/06  
Date

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, at 2612 West 26<sup>th</sup> Street Place, Kearney, NE 68845, by certified mail, return receipt requested on this 13<sup>th</sup> day of January, 2006.

Tracy A. Guck